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Debtors, The ResCap Liquidating Trust  
and The ResCap Borrower Claims Trust*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
	)	
In re:	)	
	)	
RESCAP LIQUIDATING TRUST	)	Adv. Proc. No. 14-07900 (MG)
MORTGAGE PURCHASE	)	
LITIGATION	)	
	)	
	)	

**PROPOSED AGENDA FOR MATTERS SCHEDULED  
TO BE HEARD ON JULY 30, 2015 AT 10:00 A.M. (EST)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton U.S. Custom House, Courtroom 501, One Bowling Green, New York, NY 10004-1408

**I. SETTLED/WITHDRAWN MATTER(S):**

1. ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 7298, 7299, 7300 and 7301 Filed by Ohio Department of Taxation [Docket No. 8799]

**Related Document(s):**

- a. Notice of Withdrawal of ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 7298, 7299, 7300 and 7301 Filed by Ohio Department of Taxation [Docket No. 8912]

**Response(s):** None.

**Status:** This matter has been resolved and the objection withdrawn. No hearing is required.

**II. ADJOURNED MATTER(S):**

- 1. ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) [Docket No. 8042]

**Related Document(s):**

- a. Motion for Reconsideration of Order Granting ResCap Borrower Claims Trust's Eight-Second Omnibus Objection to Claims filed by Philip Emiabata and Sylvia Emiabata [Docket No. 8545]
- b. Order Vacating Order Granting ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 3910 and 4085) [Docket No. 8563]
- c. Revised Notice of The ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 3910 and 4085) [Docket No. 8568]
- d. Notice of Adjournment of Hearing on The ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 5275 and 7464) to July 30, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 8772]
- e. Amended Notice of Adjournment of Hearing on The ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 3910 and 4085) to July 30, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 8774]
- f. Motion to Compel Discovery on Claim Nos. 3910 and 4085 filed by Philip Emiabata and Sylvia Emiabata [Docket No. 8821]

- g. Motion for Enlargement of Time to Resolve and Complete Discovery Issues Regarding Omnibus Objection To Claim Nos. 3910 and 4085 filed by Philip Emiabata and Sylvia Emiabata [Docket No. 8822]
- h. Order Denying Discovery Motions Filed by Philip and Sylvia Emiabata [Docket No. 8854]
- i. Notice of Adjournment of Hearing on The ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) Solely as it Relates to the Claims Filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 3910 and 4085) and The ResCap Borrower Claims Trust's Supplemental Objection and Reply in Support of Its Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) as to Claim Nos. 3910 and 4085 to September 3, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 8911]

**Response(s):**

- a. Response of Claimants/Creditors [Philip Emiabata and Sylvia Emiabata] to ResCap Borrower Claims Trust's Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) [Docket No. 8726]

**Reply:**

- a. ResCap Borrower Claims Trust's Supplemental Objection and Reply in Support of its Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) as to Claim Nos. 3910 and 4085 [Docket No. 8810]
  - (i) Notice of The ResCap Borrower Claims Trust's Supplemental Objection and Reply in Support of its Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims) as to Claim Nos. 3910 and 4085 [Docket No. 8812]

**Status:** The hearing on this matter as it relates to the claims filed by Philip Emiabata and Sylvia Emiabata (Claim Nos. 3910 and 4085), has been adjourned to September 3, 2015.

**III. ADJOURNED STATUS CONFERENCE:**

- 1. ResCap Borrower Claims Trust's Objection to Proof of Claim No. 725 Filed by William J. Futrell [Docket No. 8315]

**Related Document(s):**

- a. Memorandum Opinion and Order Sustaining in Part and Overruling in Part the ResCap Borrower Claims Trust's Objection to Proof of Claim No. 2267 Filed by William J. Futrell [Docket No. 8887]

- b.** Notice of Adjournment of Status Conference on The ResCap Borrower Claims Trust's Objection to Proof of Claim No. 725 Filed by William J. Futrell to August 6, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 8933]

**Response(s):**

- a.** Response of William J. Futrell to ResCap Borrower Claims Trust's Objection to Proof of Claim No. 725 Filed by William J. Futrell [Docket No. 8413]
- b.** Supplement to Response of William J. Futrell to ResCap Borrower Claims Trust's Objection to Proof of Claim No. 725 Filed by William J. Futrell [Docket No. 8458]
- c.** William J. Futrell's Objection to Trust's [Reply in Further Support of Objection to Proof of Claim No. 725 Filed by William J. Futrell] and Motion to Strike the Further Submission to Court [Docket No. 8551]

**Reply:**

- a.** The ResCap Borrower Claims Trust's Reply in Further Support of Objection to Proof of Claim No. 725 Filed By William J. Futrell [Docket No. 8528]

**Status:** The status conference on this matter has been adjourned to August 6, 2015.

**IV. ADVERSARY PROCEEDING MATTER(S):**

***In re ResCap Liquidating Trust Mortgage Purchase Litigation, Adv. Proc. No. 14-07900 (MG)***

- 1. Defendants' Memorandum of Law in Support of Their Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 86]

**Related Document(s):**

- a.** Notice of Motion of HSBC, SunTrust, Summit Financial and Mortgage Investors Group to Modify Order Appointment Mediator [Adv. Proc. Docket No. 85]
- b.** Declaration of Krista Anderson In Support of Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 87]
- c.** Letter to Judge Glenn from Isaac Nesser Regarding Recent Decision in Plaintiffs' Similar Cases [Adv. Proc. Docket No. 88]

**Response(s):**

- a. Allstate's Response to Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 89]
- b. Ally Financial, Inc.'s Objection and Memorandum of Law in Opposition to Defendants Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 90]
- c. Response of The ResCap Liquidating Trust and Residential Funding Co. to Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 91]
  - (i) Declaration of Jennifer A.L. Battle In Support of Response of The ResCap Liquidating Trust And Residential Funding Co. To Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 92]
- d. Joinder of (A) Lead Plaintiff New Jersey Carpenters Health Fund on Behalf of Itself and the Certified Class it Represents, (B) Cambridge Place Investment Management Inc., and (C) Union Central Life Insurance Company, Ameritas Life Insurance Corp., and Acacia Life Insurance Company to Response of The ResCap Liquidating Trust and Residential Funding Co. to Defendants' Motion to Modify Order Appointment Mediator [Adv. Proc. Docket No. 94]
- e. Joinder of Steering Committee Group of RMBS Holders in Opposition to Disclosure of Confidential Mediation Communications [Adv. Proc. Docket No. 95]
- f. Paulson & Co. Inc.'s Response to Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 96]
- g. Financial Guaranty Insurance Company's Response to Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket No. 98]
- h. MBIA Insurance Corporation's Response to Defendants' Motion to Modify Order Appointing Mediator [Adv. Proc. Docket Nos. 99/100]
- i. Minnesota Defendants' Statement of Support of the Defendants' Motion to Modify Order Appointing Mediator [Docket No. 105]
  - (i) Declaration of Jorge M. Gutierrez, Jr in Support of Minnesota Defendants' Statement of Support of the Defendants' Motion to Modify Order Appointing Mediator [Docket No. 106]

**Reply:**

- a. Defendants' Reply Memorandum of Law in Support of Their Motion to Modify Order Appointing Mediator [Docket No. 101]
  - (i) Declaration of Krista Anderson In Support of Defendants' Reply Memorandum In Support of Their Motion to Modify Order Appointing Mediator [Docket No. 102]

**Status:** The hearing on this matter will be going forward.

- 2. Memorandum Endorsed So-Ordered Letter Scheduling Status Conference on (i) Status of Deposition Notices and (ii) Plaintiff's Anticipated Motion to Enforce Plan Injunction and Confirmation Order [Docket No. 109]

**Related Document(s):** None.

**Response(s):** None.

**Status:** The status conference on this matter will be going forward.

**V. UNCONTESTED MATTER(S):**

- 1. Motion of The RMBS Trustees for Approval of Certain Non-Material Plan Modifications [Docket No. 8675]

**Related Document(s):**

- a. Notice of Motion Filed by The RMBS Trustees for Approval of Certain Non-Material Plan Modifications [Docket No. 8674]

**Response(s):**

- a. Statement of Ocwen Loan Servicing, LLC in Support of Motion of RMBS Trustees for Approval of Certain Non-Material Plan Modifications [Docket No. 8922]

**Status:** The hearing on this matter will be going forward.

**VI. CONTESTED MATTER(S):**

- 1. Stipulation and Order Between the ResCap Liquidating Trust and Ocwen Loan Servicing, LLC Regarding the Servicing Advances Dispute [Docket No. 8673]

**Related Document(s):**

- a. Ocwen Loan Servicing, LLC's Request for Payment of Administrative Claims [Docket No. 6296]

- b.** Ocwen Loan Servicing, LLC's Request for Payment of Administrative Claims [Docket No. 6297]
- c.** The ResCap Liquidating Trust's Objection to Ocwen Loan Servicing, LLC's Request for Payment on Administrative Expense Claims [Docket No. 8129]
- d.** Ocwen Loan Servicing, LLC's Response to the ResCap Liquidating Trust's Objection to Ocwen's Request for Payment of Administration Expense Claims [Docket No. 8301]
- e.** The ResCap Liquidating Trust's Reply in Further Support of Objection to Ocwen Loan Servicing, LLC's Request for Payment on Administrative Expense Claims [Docket No. 8421]
- f.** Joint Statement of Stipulated and Undisputed Facts [Docket No. 8762]
- g.** The ResCap Liquidating Trust's Memorandum of Law in Support of its Objection to Ocwen Loan Servicing, LLC's Revised Claim Notice Concerning the Servicing Advances Claim [Docket No. 8771]
- h.** Response of Ocwen Loan Servicing, LLC to the ResCap Liquidating Trust's Memorandum of Law in Support of its Objection to Ocwen's Revised Claim Notice Concerning the Servicing Advances Claim [Docket No. 8865]
- i.** The ResCap Liquidating Trust's Reply in Further Support of its Memorandum of Law in Support of its Objection to Ocwen Loan Servicing, LLC's Revised Claim Notice Concerning the Servicing Advances Claims [Docket No. 8923]

**Status:** The hearing on this matter will be going forward.

**2.** The Law Office of David J. Stern, P.A.'s Motion for Permissive Abstention [Docket No. 8856]

**Related Document(s):**

- a.** The Law Offices of David J. Stern, P.A.'s Notice of Filing Amended Declarations in Support of its Motion For Permissive Abstention and its Response to an Objection to its Proofs of Claim [Docket No. 8862]

**Response(s):**

- a.** The ResCap Liquidating Trust's Objection to The Law Office of David J. Stern, P.A.'s Motion for Permissive Abstention [Docket No. 8919]

**Status:** The hearing on this matter will be going forward.

3. ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A. [Docket No. 8531]

**Related Document(s):**

- a. Amended Notice of ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A. [Docket No. 8626]
- b. Notice of Adjournment of Hearing on ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A. to July 30, 2015 at 10:00 a.m. (Prevailing Eastern Time) [Docket No. 8688]
- c. The Law Office of David J. Stern, P.A.'s Motion for Permissive Abstention [Docket No. 8856]

**Response(s):**

- a. Claimant Law Offices of David J. Stern, P.A.'s Response in Opposition to ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A. [Docket No. 8857]
  - (i) Exhibits A through E [to Claimant Law Offices of David J. Stern, P.A.'s Response in Opposition to ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A.] [Docket No. 8860]
  - (ii) The Law Offices of David J. Stern, P.A.'s Notice of Filing Amended Declarations in Support of its Motion For Permissive Abstention and its Response to an Objection to its Proofs of Claim [Docket No. 8862]

**Reply:**

- a. ResCap Liquidating Trust's Reply to the Response in Opposition to Objection to Proofs of Claim Nos. 5275 and 7464 Filed by The Law Offices of David J. Stern, P.A. [Docket No. 8932]

**Status:** The hearing on this matter will be going forward.

Dated: July 28, 2015  
New York, New York

/s/ Norman S. Rosenbaum

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